

UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF MASSACHUSETTS

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In re  
**ROBIN HAYES,**  
Debtor

Chapter 13  
Case No. 07-13967-JNF

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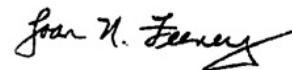
ORDER

In accordance with the Memorandum dated August 19, 2008, the Court denies the "Motion of Deutsche Bank National Trust Company, as Trustee of Argent Mortgage Securities, Inc. Asset-Backed Pass through Certificates Series 2004-W11, under the Pooling and Servicing Agreement Dated as of October 1, 2004, without Recourse for Relief from Stay." The Court sustains the Debtor's First Omnibus Objection with respect to the proof of claim filed by AMC Mortgage Services, Inc. The Court disallows the claim without prejudice to reconsideration. *See* 11 U.S.C. § 502(j); Fed. R. Bankr. P. 3008.

The Court orders Deutsche Bank, and its counsel, to show cause, in writing, within 30 days of the date of this order, why they should not be sanctioned under Fed. R. Bankr. P. 9011 for filing and prosecuting its Motion for Relief from the Automatic Stay without competent evidence that Deutsche Bank had the requisite standing under applicable law as the holder of the mortgage executed by the Debtor in favor of Argent Mortgage Company, LLC to assert the positions advanced in its Motion for Relief from the Automatic

Stay. The Court hereby orders counsel to the Debtor to submit an application for compensation itemizing fees and expenses incurred with respect to the Debtor's defense of the Motion for Relief from the Automatic Stay within 14 days of the date of this order.

By the Court,



Joan N. Feeney
United States Bankruptcy Judge

Dated: August 19, 2008

cc: David G. Baker, Esq., John McNicholas, Esq., Sanjit Korde, Esq., Julie A. Ranieri, Esq., Carolyn Bankowski, Esq.